



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO ATTENTION OF

Becky A. Comstock, Esquire
Dorsey and Whitney
2200 First Bank Place East
Minneapolis, Minnesota 55402

Dear Becky:

This letter is in response to your letter of September 19, 1983, with regard to the request for production of documents by Reilly Tar and Chemical Corporation of July 14, 1983. All documents in the possession of the U.S. Environmental Protection Agency, Region V which are responsive to your request of July 14, 1983 and are not being withheld under claim of privilege will be sent to the State of Minnesota attorneys who will arrange to make them available at their office. You will be billed for the expense of copying such documents.

As stated above, all documents which are privileged will not be produced. The last sentence of your letter of September 19, indicates that all such privileged documents will be identified by EPA. That has not been agreed to and I am sorry if there was a misunderstanding in that respect.

With regard to the United States' document request of June 17, 1983, you may be under the misapprehension that David Hird has suspended the date of production. David Hird has advised me that, pursuant to your request, he agreed to extend the date of production sixty days from July 17, 1983. He did not agree to suspend indefinitely the date for production, however, and the date by which production was supposed to have been made by Reilly Tar has passed.

Sincerely,

Robert E. Leininger
Assistant Regional Counsel

cc: All counsel of record

US EPA RECORDS CENTER REGION 5



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